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PATENT APPLICATION

ATTORNEY DOCKET NO. 10013720-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert E. Haines et al

Confirmation No.: 5620

Application No.: 09/981,175

Examiner: Dillon Murphy

Filing Date: Oct. 17, 2001

Group Art Unit: 2624

Title: Media Parameter Downloading

Mail Stop Appeal Brief-Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on Feb. 2, 2006.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

1st Month
\$120

2nd Month
\$450

3rd Month
\$1020

4th Month
\$1590

The extension fee has already been filed in this application.

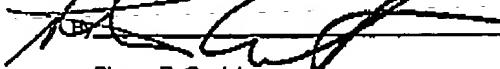
(b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 820. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450.
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Respectfully submitted,

Robert E. Haines et al.



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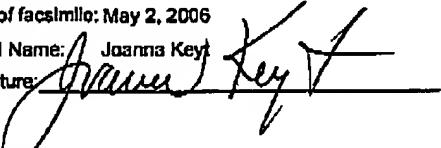
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/981,175
Filing Date 10/17/2001
Inventorship Robert E. Haines et al.
Group Art Unit..... 2624
Confirmation No. 5620
Examiner Dillon Murphy
Attorney's Docket No. 10013720-1
Title: Media Parameter Downloading

APPELLANTS/APPLICANTS' OPENING BRIEF ON APPEAL

1. REAL PARTY IN INTEREST.

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holding, LLC.

2. RELATED APPEALS AND INTERFERENCES.

There are no other appeals or interferences known to Appellants, Appellants' legal representative or the Assignee which will affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

3. STATUS OF CLAIMS.

Claims 1-21 are pending. The rejections of all pending claims are appealed.

4. STATUS OF AMENDMENTS.

No amendments were filed after the final action.

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PAGE 3/17 * RCVD AT 5/2/2006 3:00:57 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-3/6 * DNIS:2738300 * CSID:208 433 9295 * DURATION (mm:ss):04:38

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5. SUMMARY OF CLAIMED SUBJECT MATTER.

The claims relate to downloading print media parameters to an imaging device in response to the imaging device detecting a media identification from the print media.

Claim 1, for example, is directed to a method that includes an imaging device detecting a media ID from print media (e.g., block 410 in Fig. 4 and Specification page 9, lines 3-5 and page 14, lines 7-8), downloading a set of media parameters corresponding to the media ID from a server to the imaging device in response to the imaging device detecting the media ID (e.g., block 424 in Fig. 5 and Specification page 11, lines 1-17 and page 15, lines 16-19), and automatically configuring the imaging device based on the media parameters (e.g., block 430 in Fig. 5 and Specification at page 15, lines 23-24).

Claim 5, for example, is directed to an imaging device that includes a memory (e.g., memory 212 in imaging device 110 in Fig. 2) storing computer-executable instructions (e.g., applications 214 in Fig. 2) for performing the acts recited in Claim 1 and a processor for executing those instructions.

Claim 11, for example, is directed to a computer readable medium (e.g., memory 212 in imaging device 110 in Fig. 2 and/or memory 312 in server 112 in Fig. 3) that includes computer-executable instructions (e.g., applications 214 in Fig. 2 and/or applications 314 in Fig. 3) for performing the acts recited in Claim 1.

Claim 15, for example, is directed to a method that includes a server (e.g., server 112 in Figs. 1 and 3) receiving from an imaging device a request message having a print media ID (e.g., block 416 in Fig. 4 and Specification page 15, lines 3-7), evaluating a look-up-table to determine media parameters that correspond to the media ID (e.g., block 418 in Fig. 4 and Specification page 15, lines 8-11), and downloading the media parameters to the imaging device (e.g., block 424 in Fig. 5 and Specification page 15, lines 16-19).

Claim 17, for example, is directed to a computer-readable medium (e.g., memory 212 in imaging device 110 in Fig. 2 and/or memory 312 in server 112 in Fig. 3) that includes computer-executable instructions (e.g., applications 214 in Fig. 2 and/or applications 314 in Fig. 3) for performing the acts recited in Claim 15.

Claim 20, for example, is directed to a system in which a server (e.g., server 112 in Figs. 1 and 3) is operatively coupled to an imaging device (e.g., imaging device 110 in Figs. 1 and 2) across a network (e.g., network 114 in Fig. 1). The imaging device is

configured to detect a media ID from print media (e.g., Specification page 9, lines 3-5), download media parameters corresponding to the media ID from the server in response to the imaging device detecting the media ID (e.g., Specification page 11, lines 1-17), and automatically configure imaging operations based on the media parameters (e.g., block 430 in Fig. 5 and Specification at page 15, lines 23-24).

6. GROUNDS OF REJECTION TO BE REVIEWED.

1. Miyakawa (4617580) does not teach not teach detecting a media ID or downloading a set of media parameters corresponding to the media ID. Ground No. 1 applies to the Section 103 rejection of Claims 1-14.

2. Kamada (6128098) does not teach (i) a server receiving a media parameter request from an imaging device, (ii) with a media ID that corresponds to print media, or (iii) determining a set of media parameters that correspond to the media ID. Ground No. 2 applies to the Section 103 rejection of Claims 15-19.

3. Kamada (6128098) does not teach an imaging device configured to download a set of media parameters corresponding to a media ID. Ground No. 3 applies to the Section 103 rejection of Claims 20-21.

7. ARGUMENT.

GROUND NO. 1

Miyakawa does not teach detecting a media ID or downloading a set of media parameters corresponding to the media ID.
(Claims 1-14)

Claims 1-14 were rejected under Section 103 as being obvious over Miyakawa (4617580) in view of Furman (5483653) (Claims 1-8 and 11-14) and further in view of Kamada (6128098) (Claims 9-10). The Examiner bears the burden of establishing a *prima facie case of obviousness* which includes showing that the prior art references teach or suggest all claim limitations. MPEP § 2143.

Claim 1 recites an imaging device detecting a media ID from print media and downloading a set of media parameters corresponding to the media ID to the imaging device in response to the imaging device detecting the media ID. Claims 5 and 11 recite similar limitations. The Examiner asserts Miyakawa teaches these limitations at

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column 3, lines 33-42 and column 4, lines 18-22. This assertion is not correct.
(Furman is cited as teaching an imaging device connected to a server.)

Detecting A Media Identification

The Examiner asserts the opacity/transparency detected by OHP film detector 39 is the claimed media ID. Final Office Action page 2. The opacity/transparency of the media is a media parameter, not a media ID. See Specification page 12, line 25 through page 13, line 1 listing "media type (e.g., paper, plastic, coated etc.)" as a media parameter.

Downloading A Set Of Media Parameters

The Examiner states that "media parameters represented by data #35 [in Miyakawa], are downloaded into computer memory #33 from external data #34." Final Office Action, page 2. First, Miyakawa does not teach or suggest that recorded data 35 is downloaded from external data 34 or from anything else.¹ On the contrary, it seems clear from the characterization of this element as "recorded" data 35 at a RAM address that this data is not downloaded from an external device. Miyakawa column 3, lines 34-37. Second, Miyakawa does not teach or suggest that recorded data 35 includes a set of media parameters. Miyakawa does not say anything about the content or character of recorded data 35 other than that it is "recorded" data. While one might speculate that recorded data 35 is some type of print data, based on the text at column 3, lines 39-42, there is no indication that any such print data includes media parameters. In any event, speculation has no place in an analysis under Section 103.

In response to the Applicants' remarks regarding this limitation, the Examiner states at page 16 of the Final Office Action:

"A counter #31 controls the recording system. A data address corresponding to the counter is generated from an address decoder #32. Using the generated address, external data #34 is accessed via the RAM #33. The address corresponds to print control information including media parameters, such as ink drop size, for printing on a specific medium such as paper or transparency."

Miyakawa purports to teach a system for adjusting the number of ink dots fired per pixel for paper and for transparencies – one dot per pixel for paper and multiple dots per pixel for transparencies. Miyakawa column 4, lines 25-36. The passage cited

¹ Data cannot be downloaded from data. Applicants have interpreted the Office's remarks, therefore, as asserting that recorded data 35 is downloaded from a device external to Miyakawa's inkjet printer.

by the Examiner, column 3, lines 27-46, attempts to explain how ink may be fired at the desired locations on a piece of paper or on a transparency. This passage seems to teach the use of a counter 31 synchronized with the CPU clock pulses to identify the position of the print head. There is nothing in this passage that teaches or suggests anything about any of the parameters that may be associated with the print media. Indeed, print media parameters are not even mentioned in this passage.

To the extent pixel size may be deemed a media parameter, there is no indication at all in Miyakawa that this parameter is included in recorded data 35 or that it comes from external data 34. On the contrary, Miyakawa clearly teaches that the pixel size is adjusted by the printer based on the OHP film detector 39 detecting a transparency. Miyakawa column 3, lines 47-61.

The combination of Miyakawa, Furman and Kamada does not teach or suggest all of the limitations of Claims 1, 5, and 11 and their respective dependent claims and, therefore, the Examiner has failed to carry his burden of establishing a *prima facie* case of obviousness.

GROUND NO. 2

Kamada does not teach (i) a server receiving a media parameter request from an imaging device, (ii) with a media ID that corresponds to print media, or (iii) determining a set of media parameters that correspond to the media ID.
(Claims 15-19 and 21)

Claims 15-19 were rejected under Section 103 as being obvious over Kamada in view of Mestha (6757076). Claim 21 was rejected under Section 103 as being obvious over Kamada, Ueda (5801722) and Mestha

Claim 15 recites a server receiving from an imaging device a media parameter request message that includes a media ID that corresponds to print media, evaluating a remote look-up-table to determine a set of media parameters that correspond to the media ID in response to receiving the message, and downloading the media parameters to the imaging device. Claims 17 and 21 recite similar limitations.

The rejections of Claims 15-19 and 21 are based on the assertion that Kamada teaches a server receiving a media parameter request from an imaging device with a media ID that corresponds to print media, determining a set of media parameters that correspond to the media ID, and downloading the media parameters to the imaging

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device. This assertion is not correct. (Mestha is cited as teaching the use of a look-up table to determine the media parameters.)

Fig. 34 in Kamada shows a method for calibrating an inkjet printer upon the installation of new printheads. In steps S3409 and S3410, cited by the Examiner, the printer, at the command of the host processor, scans a printed test pattern and transmits the scan data to the host processor. The host processor does not receive any kind of a media ID or media parameter request message from the printer. The host processor does not determine a set of media parameters that correspond to the media ID (or any other media parameters). The host processor does not download any media parameters to the printer.

The Examiner asserts that the "optical density of the image on a particular medium" is an example of a media parameter because it is dependent on "the absorption and type of the media", citing to Kamada column 13, lines 38-44 and column 41, lines 25-30. Final Office Action page 10. Even if the optical density of a printhead in the inkjet printer might somehow reasonably be deemed a media parameter (as opposed to a printer parameter as expressly taught by Kamada), it does not correspond to a media ID. In fact, the Examiner does not identify which element in Kamada he considers to be the claimed media ID.

In response, the Examiner argues that the printer sending the test pattern to the host processor in Kamada "is effectively a media parameter request message...." Final Office Action page 18. Even if this is assumed to be true, the test pattern "message" does not include a media ID that corresponds to the print media. Indeed, there is no indication at all in Kamada that any particular print media is ever identified to or corresponds with the test pattern sent to the host processor or the compensation parameters downloaded to the printer.

The combination of Kamada and Mestha does not teach or suggest all of the limitations of Claims 15 and 17 and their respective dependent claims and, therefore, the Examiner has failed to carries his burden of establishing a *prima facie* case of obviousness.

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GROUND NO. 3

Kamada does not teach an imaging device configured to download a set of media parameters corresponding to a media ID.
(Claims 20-21)

Claims 20-21 were rejected under Section 103 as being obvious over Kamada, Ueda (5801722) and Mestha.

Claim 20 recites an imaging device configured to detect a media ID from print media, download a set of media parameters corresponding to the media ID in response to detecting the media ID, and automatically configure imaging operations based on the media parameters.

In support of the rejection, the Examiner asserts that Kamada teaches an imaging device configured to download a set of media parameters corresponding to a media ID. This assertion is not correct. (Ueda is cited as teaching detecting a media ID. Mestha is cited as teaching an imaging device connected to a server.)

As discussed above, Fig. 34 in Kamada shows a method for calibrating an inkjet printer upon the installation of new printheads. In steps S3409 and S3410, cited by the Examiner, the printer, at the command of the host processor, scans a printed test pattern and transmits the scan data to the host processor. The host processor does not receive any kind of a media ID or media parameter request message from the printer. The host processor does not determine a set of media parameters that correspond to the media ID (or any other media parameters). The host processor does not download any media parameters to the printer.

The Examiner asserts that the optical density discussed in Kamada is an example of a media parameter because it is dependent on "the absorption and type of the media", citing to Kamada column 13, lines 38-44 and column 41, lines 25-30.

Final Office Action page 13. Even if the optical density of a printhead in the inkjet printer might somehow reasonably be deemed a media parameter (as opposed to a printer parameter as expressly taught by Kamada), it does not correspond to a media ID. There is no indication at all in Kamada that any particular print media is ever identified to or corresponds with the test pattern sent to the host processor or the compensation parameters downloaded to the printer.

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The combination of Kamada, Ueda and Mestha does not teach or suggest all of the limitations of Claim 20 and depending Claim 21 and, therefore, the Examiner has failed to carries his burden of establishing a prima facie case of obviousness.

Respectfully submitted,

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By _____

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APPENDIX I – CLAIMS INVOLVED IN THE APPEAL

1. In a system comprising an imaging device that is operatively coupled across a network to a server computer, a method comprising:
 - detecting, by the imaging device, a media ID from print media;
 - responsive to detecting the media ID, downloading a set of media parameters corresponding to the Media ID from the server computer to the imaging device; and
 - automatically configuring the imaging device based on the media parameters downloaded to the imaging device.
2. A method as recited in claim 1, wherein detecting the media ID is performed responsive to determining that print media has been loaded into a print media supply tray or roll that is coupled to the imaging device.
3. A method as recited in claim 1, wherein detecting the media ID is performed responsive to receiving an imaging job request.
4. A method as recited in claim 1, wherein downloading the media parameters further comprises:
 - communicating, by the imaging device, a media parameter request message to the server computer, the media parameter request message comprising the media ID; and
 - the imaging device receiving a media parameter response message comprising the media parameters from the server computer.
5. An imaging device comprising:
 - a memory comprising computer-executable instructions; and
 - a processor operatively coupled to the memory, the processor being configured to fetch and execute the computer executable instructions from the memory, the computer-executable instructions comprising instructions for:
 - detecting, by the imaging device, a media ID from print media;

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responsive to detecting the media ID, downloading a set of media parameters corresponding to the Media ID from a server computer that is operatively coupled to the imaging device across a network to the imaging device; and

automatically configuring the imaging device based on the media parameters downloaded to the imaging device.

6. An imaging device as recited in claim 5, wherein the instructions for detecting the media ID are performed responsive to computer-executable instructions that make a determination that print media has been loaded into a print media supply tray or roll that is coupled to the imaging device.

7. An imaging device as recited in claim 5, wherein the instructions for detecting the media ID are performed responsive to computer-executable instructions indicating that an imaging job request has been received.

8. An imaging device as recited in claim 5, wherein the instructions for downloading the media parameters further comprise instructions for:

communicating, by the imaging device, a media parameter request message to the server computer, the media parameter request message comprising the media ID; and

the imaging device receiving a media parameter response message comprising the media parameters from the server computer.

9. An imaging device as recited in claim 5, wherein the computer-executable instructions further comprise instructions for:

responsive to downloading the media parameters, updating a look-up-table at the imaging device to map the media ID to the media parameters.

10. An imaging device as recited in claim 5, wherein the computer-executable instructions further comprise instructions for:

responsive to downloading the media parameters, updating a look-up-table at the imaging device to map the media ID to the media parameters such that the look-up-table only indicates most recently used media ID to media parameter mappings.

11. A computer-readable medium comprising computer-executable instructions, the computer-executable instructions comprising instructions for:
 - detecting, by an imaging device, a media ID from print media; responsive to detecting the media ID, downloading a set of media parameters corresponding to the Media ID from a server computer that is operatively coupled to the imaging device across a network to the imaging device; and automatically configuring the Imaging device based on the media parameters downloaded to the imaging device.
12. A computer-readable medium as recited in claim 11, wherein the instructions for detecting the media ID are performed responsive to computer-executable instructions that make a determination that print media has been loaded into a print media supply tray or roll that is coupled to the imaging device.
13. A computer-readable medium as recited in claim 11, wherein the instructions for detecting the media ID are performed responsive to computer-executable instructions indicating that an imaging job request has been received.
14. A computer-readable medium as recited in claim 11, wherein the instructions for downloading the media parameters further comprise instructions for:
 - communicating, by the imaging device, a media parameter request message to the server computer, the media parameter request message comprising the media ID; and
 - the imaging device receiving a media parameter response message comprising the media parameters from the server computer.
15. In a system comprising a server computer that is operatively coupled across a network to an imaging device, a method comprising:
 - receiving, by the server computer, a media parameter request message comprising a media ID that corresponds to print media, the media parameter request message having been communicated to the server computer by the imaging device;

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responsive to receiving the media parameter request message, evaluating a remote look-up-table to determine a set of media parameters that correspond to the media ID; and

downloading the media parameters to the imaging device.

16. A method as recited in claim 15, wherein downloading the media parameters further comprises:

communicating, by the server device, a response message to the imaging device that comprises the media parameters.

17. A computer-readable medium comprising computer-executable instructions, the computer-executable instructions comprising instructions for:

receiving, by a server computer, a media parameter request message comprising a media ID that corresponds to print media, the media parameter request message having been communicated to the server computer by an imaging device that is operatively coupled to the server computer across a network;

responsive to receiving the media parameter request message, evaluating a remote look-up-table to determine a set of media parameters that correspond to the media ID; and

downloading the media parameters to the imaging device.

18. A computer-readable medium 17, wherein the instructions for downloading the media parameters further comprise instructions for:

communicating, by the server device, a response message to the imaging device that comprises the media parameters.

19. A server computer comprising computer executable instructions as recited in claim 17.

20. A system comprising:
an imaging device and a server computer that is operatively coupled to the imaging device across a network;
wherein the imaging device is configured to:

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- (a) detect a media ID from print media;
- (b) responsive to detecting the media ID, download a set of media parameters corresponding to the Media ID from the server computer to the imaging device; and
- (c) automatically configure imaging operations based on the media parameters downloaded to the imaging device.

21. A system as recited in claim 20, wherein the server computer is configured to:

- receive a media parameter request message comprising a media ID that corresponds to print media, the media parameter request message having been communicated to the server computer by the imaging device;
- responsive to receiving the media parameter request message, evaluate a remote look-up-table to determine a set of media parameters that correspond to the media ID; and
- download the media parameters to the imaging device.

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APPENDIX II – EVIDENCE SUBMITTED UNDER RULES 130, 131 OR 132

none

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APPENDIX III – RELATED PROCEEDINGS

none

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